

LAWRENCE B. MITCHELL
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FORMERLY ASSOCIATE JUSTICE
COURT OF APPEALS
FIFTH DISTRICT OF TEXAS AT DALLAS

March 27, 1991

Tommy Lowe, Clerk
Court of Criminal Appeals
P.O. Box 12308
Capitol Station
Austin, Texas 78711

MAR 29 1991
Thomas Lowe, Clerk

RE: Mark Robertson vs. State
Cause No. 71,224

Dear Mr. Lowe:

I have recently received a postcard dated March 25, 1991, concerning the above described appeal. I was advised in that postcard that the transcript has been filed and that the Statement of Facts is due to be filed on April 12, 1991.

Please be advised that on behalf of Mr. Robertson I have filed with the clerk of the trial court a Motion for New Trial. A copy of that document is enclosed herein for your records. By my calculation, the time period for filing the Statement of Facts should be adjusted because of this event. It is my understanding that if a timely Motion for New Trial is filed, the Transcript and Statement of Facts shall be filed within 120 days after the day sentence was imposed. See TEX. R. APP. PROC. 54(b). Therefore, by my calculation, the Statement of Facts is due to be filed on or before June 11, 1991. I would appreciate notification from the Court as to the correct date for filing of the Statement of Facts.

Thank you for your attention to this matter.

Sincerely,



LAWRENCE B. MITCHELL
Attorney at Law

LBM/sah
Enclosure

STATE OF TEXAS) CRIMINAL DISTRICT
VS.) COURT NO.5
MARK A. ROBERTSON) DALLAS COUNTY, TEXAS

MOTION FOR NEW TRIAL

TO THE HONORABLE JUDGE OF SAID COURT:

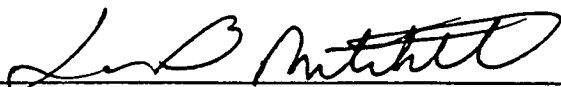
COMES NOW the defendant by and through his attorney of record and respectfully submits this his Motion for New Trial pursuant to the provisions of TEX. R. APP. PROC. 30. In support of said Motion defendant would show the Court as follows:

I.

The verdict is contrary to the law and the evidence. See TEX. R. APP. PROC. 30(b)(9).

WHEREFORE for the foregoing reason the defendant respectfully prays this Honorable Court grant his Motion for New Trial.

Respectfully submitted,



LAWRENCE B. MITCHELL
State Bar No. 14217500
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Dallas, Texas 75247
214/630-3070

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Motion for New Trial has been delivered to Janice Warder, Assistant District Attorney, Frank Crowley Courts Bldg.,

FILED

31 MAR 11 09:32

WILL LONG
CLERK
DALLAS COUNTY, TEXAS

DEPUTY

Case 3:13-cv-00728-G Document 27-1 Filed 08/29/13 Page 3 of 3 PageID 554
133 N. Industrial Blvd., Dallas, Texas 75207, on this the 6
day of March, 1991.



LAWRENCE B. MITCHELL